

my daughter during her natural life, and after her death, to her child or children, or their descendants, if any, equally, in fee simple, subject, however, to the life estate and powers hereinafter given."

He then gives to his daughter the power, if married, by any writing in the nature of a last will, made altogether in her own hand-writing, or attested as the law requires in cases of wills, or if sole, by her last will made according to law, to give and devise the said residue of his estate to any one or more of her children or descendants, upon such terms, and in such proportions as she may think proper, with further power by her will, or any instrument in writing in the nature of a will as aforesaid, to provide for the contingency of her own death without a child or children, or descendants of such then living, and of the death of the testator's son without a child or children, or the descendants of such living at the time of her death, by giving and devising the said residue of his estate in that event unto such person or persons as she may think proper.

He then provides that in case his daughter should die, leaving her present husband, Captain Isaac Mayo, surviving her, he shall have and enjoy the said residue of his estate during his life, and in case his daughter shall have made no such direction and appointment as aforesaid, then he may by his last will give and devise to the children and descendants of his daughter, the said residue, to them or any one or more of them, in such manner and proportions as he may think proper.

He then provides, in case neither his daughter or her husband should make any such disposition as aforesaid, then said residue shall descend and pass from his daughter, according to law, as if she had been the legal owner thereof in fee simple, and absolutely by purchase, and had died intestate.

He then appointed his wife, Sarah Bland, and his son-in-law, Captain Isaac Mayo, the executrix and executor of his will.

The testator died on the 16th of November, 1846, and his widow having renounced the executorship, letters testamentary were granted to the executor, Captain Isaac Mayo, named in the will.